

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MICHAEL T. WILLIAMS,

Plaintiff,

v.

MICHAEL MINEV, et al.,

Defendants.

Case No. 3:22-cv-00293-RCJ-CSD

ORDER

This action began with a pro se civil-rights complaint filed under 42 U.S.C. § 1983 by a state prisoner. Plaintiff has applied to proceed *in forma pauperis*. (ECF No. 1). Based on the financial information provided, the Court finds that Plaintiff is unable to prepay the full filing fee in this matter.

The Court entered a screening order on August 31, 2022. (ECF No. 3). The screening order imposed a 90-day stay and the Court entered a subsequent order in which the parties were assigned to mediation by a court-appointed mediator. (ECF Nos. 3, 6). The Office of the Attorney General has filed a status report indicating that settlement has not been reached and informing the Court of its intent to proceed with this action. (ECF No. 8).

For the foregoing reasons, **IT IS ORDERED** that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is **GRANTED**. Plaintiff will not be required to pay an initial installment of the filing fee. But if this action is dismissed, the full filing fee must still be paid under 28 U.S.C. § 1915(b)(2).

2. Plaintiff is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor.

3. Under 28 U.S.C. § 1915, as amended by the Prison Litigation Reform Act, the Nevada Department of Corrections will forward payments from the account of **MICHAEL T. WILLIAMS, #65832** to the Clerk of the United States District Court, District

1 of Nevada, 20% of the preceding month's deposits (in months that the account exceeds  
2 \$10) until the full \$350 filing fee has been paid for this action.

3 4. Service must be perfected within 90 days from the entry date of this order  
4 as provided in Federal Rule of Civil Procedure 4(m).

5 5. Subject to the findings of the screening order (ECF No. 3), within 21 days  
6 from the entry date of this order, the Attorney General's Office shall file a notice advising  
7 the Court and Plaintiff of (a) the names of the defendants for whom it accepts service,  
8 (b) the names of the defendants for whom it does not accept service, and (c) the names  
9 of the defendants for whom it is filing the last-known-address information under seal. As  
10 to any of the named defendants for whom the Attorney General's Office cannot accept  
11 service, the Office must file, under seal, but shall not serve the inmate Plaintiff the last  
12 known address of the defendants for whom it has such information. If a defendant's last  
13 known address is a post office box, the Attorney General's Office shall attempt to obtain  
14 and provide the last known physical address.

15 6. If service cannot be accepted for any named defendant, Plaintiff must file a  
16 motion identifying the unserved defendant, requesting issuance of a summons, and  
17 specifying a full name and address for the defendant. For any defendant as to which the  
18 Attorney General has not provided last-known-address information, Plaintiff must provide  
19 the full name and address for the defendant.

20 7. If the Attorney General accepts service of process for any named  
21 defendant, such defendant must file and serve an answer or other response to the  
22 complaint (ECF No. 4) within 60 days from the entry date of this order.

23 8. Plaintiff must serve upon defendants or, if an appearance has been entered  
24 by counsel, upon their attorneys, a copy of every pleading, motion, or other document  
25 that Plaintiff submits for the Court's consideration. If Plaintiff electronically files a  
26 document with the Court's electronic-filing system, no certificate of service is required.  
27 Fed. R. Civ. P. 5(d)(1)(B); Nev. Loc. R. IC 4-1(b); Nev. Loc. R. 5-1. However, if Plaintiff  
28 mails the document to the Court, Plaintiff must include with the original document

1 submitted for filing a certificate stating the date that a true and correct copy of the  
2 document was mailed to the defendants or their counsel. If counsel has entered a notice  
3 of appearance, Plaintiff must direct service to the individual attorney named in the notice  
4 of appearance, at the physical or electronic address stated therein. The Court may  
5 disregard any document received by a district judge or magistrate judge that has not been  
6 filed with the Clerk, and any document received by a district judge, magistrate judge, or  
7 the Clerk that fails to include a certificate showing proper service when required.

8 9. This case is no longer stayed.

9 10. The Clerk of the Court is directed to (1) send copy of this order to the  
10 Finance Division of the Clerk's Office and to the attention of **Chief of Inmate Services**  
11 **for the Nevada Department of Corrections**, P.O. Box 7011, Carson City, NV 89702;  
12 and (2) electronically serve a copy of this order and a copy of Plaintiff's complaint (ECF  
13 No. 4) on the Office of the Attorney General of the State of Nevada by adding the Attorney  
14 General of the State of Nevada to the docket sheet. This does not indicate acceptance of  
15 service.

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17 DATED: November 4, 2022.

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20 UNITED STATES MAGISTRATE JUDGE  
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